

CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Sruthi Venigalla	Team: Team # 3	CCRB Case #: 201401786	<input type="checkbox"/> Force	<input type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input checked="" type="checkbox"/> Abuse	<input type="checkbox"/> O.L.	<input type="checkbox"/> Injury
Incident Date(s) Saturday, 02/08/2014 9:23 PM	Location of Incident: § 87(2)(b) vicinity of Linden Boulevard and Malta Street	Precinct: 67	18 Mo. SOL 8/8/2015	EO SOL 8/8/2015	
Date/Time CV Reported Mon, 02/24/2014 3:13 PM	CV Reported At: CCRB	How CV Reported: Call Processing System	Date/Time Received at CCRB Mon, 02/24/2014 3:13 PM		

Complainant/Victim	Type	Home Address

Witness(es)	Home Address

Subject Officer(s)	Shield	TaxID	Command
1. SGT John Volkan	2624	942677	067 PCT
2. POM Angel Pimentel	26117	934065	067 PCT
3. POM Christian Villacis	05464	949772	067 PCT
4. An officer			067 PCT

Witness Officer(s)	Shield No	Tax No	Cmd Name
1. POM Daniel Meade	12032	949314	067 PCT
2. POM Gene Ruda	09548	954303	067 PCT
3. POM Thaher Ahmed	1488	954468	PBBS

Officer(s)	Allegation	Investigator Recommendation
A.SGT John Volkan	Abuse: On February 8, 2014, at § 87(2)(b) in Brooklyn, Sgt. John Volkan threatened to arrest § 87(2)(b)	
B.SGT John Volkan	Abuse: On February 23, 2014, in front of § 87(2)(b) and in the vicinity of Linden Boulevard and Malta Street in Brooklyn, Sgt. John Volkan threatened to arrest § 87(2)(b)	
C.POM Angel Pimentel	Abuse: On February 23, 2014, in the vicinity of Linden Boulevard and Malta Street in Brooklyn, PO Angel Pimentel stopped the car in which § 87(2)(b) and § 87(2)(b) were occupants.	
D.POM Christian Villacis	Abuse: On February 23, 2014, in the vicinity of Linden Boulevard and Malta Street in Brooklyn, PO Christian Villacis stopped the car in which § 87(2)(b) and § 87(2)(b) were occupants.	

Officer(s)	Allegation	Investigator Recommendation
E. An officer	Abuse: On February 23, 2014, in the vicinity of Linden Boulevard and Malta Street in Brooklyn, an officer frisked § 87(2)(b)	
F. An officer	Abuse: On February 23, 2014 in the vicinity of Linden Boulevard and Malta Street in Brooklyn, an officer searched § 87(2)(b)	
G.POM Angel Pimentel	Abuse: On February 23, 2014, in the vicinity of Linden Boulevard and Malta Street in Brooklyn, PO Angel Pimentel drew his gun.	

Case Summary

On February 8, 2014 at approximately 9:23 p.m., officers, including Sgt. John Volkan of the 67th Precinct, responded to § 87(2)(b)'s residence at § 87(2)(b) in Brooklyn, following a call involving a tenant dispute between § 87(2)(b) and several other individuals.

According to § 87(2)(b) when approximately twenty officers responded, she invited them into her apartment, and interacted with six officers in her bedroom. Individuals whom she identified as § 87(2)(b) and § 87(2)(b) identified by the investigation as § 87(2)(b) allegedly had broken down § 87(2)(b)'s front door and removed her belongings. Other individuals, whom she identified as § 87(2)(b) and "§ 87(2)(b)" but who were identified by the investigation as § 87(2)(b) and § 87(2)(b) were also present for this conversation and claimed that § 87(2)(b)'s apartment belonged to them. An officer who allegedly identified himself verbally as "Walton" upon § 87(2)(b)'s request for his name, and who the investigation identified as Sgt. John Volkan of the 67th Precinct, asked § 87(2)(b) "Where's your ID? Where's your lease?"

§ 87(2)(b) explained that those items were outside on the sidewalk with her belongings, and she would need to go look for them. Sgt. Volkan responded, "I can't wait for that. My patience is running out. You're going to have to leave." § 87(2)(b) said, "I'm not going anywhere. Why should I leave my apartment?" Sgt. Volkan replied, "If you don't leave the apartment, I'm going to arrest you" (**Allegation A**). § 87(2)(b) then left the location. She was neither arrested nor issued a summons during this interaction.

On February 23, 2014, at approximately 8:00 p.m., officers again responded to § 87(2)(b)'s residence, this time, following her phone call regarding a dispute with tenants of the building. § 87(2)(b) was sitting in the front passenger's seat of her blue Hummer H3 across the street from her residence with § 87(2)(b) who was the driver, and whom she identified as the landlord of the building, and another individual she identified as § 87(2)(b) (identified by the investigation as § 87(2)(b) who was sitting in the rear of the vehicle.

§ 87(2)(b) stated that of the officers who responded, § 87(2)(b) recognized Sgt. Volkan, when he approached her in the car. She said, "How can you just stand there and let them burglarize my things?" Sgt. Volkan responded, "Say another word, and I'll arrest you (**Allegation B**)."

Every time § 87(2)(b) asked Sgt. Volkan a question, he would reply, "Do you want to get arrested?" (**within Allegation B**). § 87(2)(b) corroborated § 87(2)(b)'s statement in that while remaining seated in § 87(2)(b)'s vehicle, Sgt. Volkan told § 87(2)(b) several times, "You have to leave the location, or you will be arrested" (**within Allegation B**). There were some people in the vicinity, including squatters, but § 87(2)(b) could not specify anyone who was in earshot of § 87(2)(b)'s conversation with Sgt. Volkan. After remaining seated in the car at that location for about thirty minutes, § 87(2)(b) drove away. No summonses were issued during the interaction.

§ 87(2)(b) stated § 87(2)(b) had been driving for approximately five minutes in the vicinity of Linden Boulevard and Pennsylvania Avenue when Sgt. Volkan and "40 other officers pulled them over (**Allegation C**). The investigation determined that § 87(2)(b) interacted with officers in the vicinity of Linden Boulevard and Malta Street. According to her, Sgt. Volkan approached the car and said, "Didn't I tell you if you came back there, you would be arrested (**within Allegation B**)? I was told you have a gun in the car." § 87(2)(b) said, "We don't have a gun. Wanna search? Go ahead." § 87(2)(b)'s account § 87(2)(g)

§ 87(2)(b) stated that two officers, identified by the investigation as PO Angel Pimentel and PO Christian Villacis of the 67th Precinct were the officers who initiated the stop of the vehicle. (**within Allegation C and Allegation D**).

Though § 87(2)(b) could not estimate the number of officers who searched the car, she alleged that several officers searched the trunk, glove compartment, and her purse in the front seat of the car. While § 87(2)(b) did not see them search her purse, she stated that the contents were emptied onto the ground. No contraband was retrieved during the search. § 87(2)(b) also stated that gold and silver coins in plastic casing were thrown onto the street, most of which § 87(2)(b) retrieved at the end of the incident. Although she did not explicitly suggest that officers stole them, she stated that approximately 40 gold pieces went missing. On April 3, 2014, spin-off case 201403184 was generated to refer this claim to the Internal Affairs Bureau (IAB). § 87(2)(g)

§ 87(2)(b) stated that an officer whom she identified as PO Daniel Meade, and Sgt. Volkan were present during the vehicle search, during which point, Sgt. Volkan said to § 87(2)(b) “I told you not to go back there.” § 87(2)(b) responded, “You can’t tell me not to go back to where I pay rent.” Sgt. Volkan replied, “If you keep going back there, you’re going to get arrested for disobeying my orders (**within Allegation B**).”

§ 87(2)(b) stated that an officer who searched the trunk of the vehicle, also frisked her by patting down her “midsection, legs, and groin area” (**Allegation E**). Though she did not see § 87(2)(b) s search, she also stated that § 87(2)(b) was searched, (**Allegation F**) as was § 87(2)(b) by officers she did not describe. § 87(2)(b) stated that an officer, identified by the investigation as PO Pimentel, reached into the front driver’s side open window, turned the car off and removed the keys from the ignition, before telling § 87(2)(b) to “get out of the car”. According to him, PO Pimentel then opened the driver’s side door, and when he stepped out, he observed PO Pimentel’s gun which was pointed down at his feet (**Allegation G**). PO Pimentel then holstered his firearm, before walking § 87(2)(b) to the back of the vehicle. § 87(2)(b) stated that § 87(2)(b) and § 87(2)(b) were still in the car when he got out, but exited it shortly thereafter. § 87(2)(b) was arrested and transported to the 67th Precinct stationhouse where he was charged with § 87(2)(b)

This case was originally assigned to Inv. Flannery Gallagher on March 18, 2014, but re-assigned to the undersigned investigator on July 31, 2014 upon Inv. Gallagher’s resignation from the agency.

Civil, Mediation and Criminal Histories

- This case is not eligible for mediation because of § 87(2)(b) s arrest; a spin-off to IAB regarding § 87(2)(b) s allegation of missing coins, § 87(2)(b)
- § 87(2)(b) filed a Notice of Claim with the City of New York on § 87(2)(b), § 87(2)(b). A 50-H hearing was held on § 87(2)(b). As of March 25, 2015, § 87(2)(b) has not filed a Notice of Claim with the City of New York regarding the incident on February 23, 2014 (Encl. I1 – I4).
- [§ 87(2)(b)] [§§ 86(1)(3)&(4)] [§ 87(2)(c)]

NYPD Documents

- The event information for event numbers § 87(2)(b) and § 87(2)(b) generated on February 8, 2014 at 9:23 p.m. and February 23, 2014 at 9:08 p.m. respectively, indicates that disputes occurred between tenants and the landlord at § 87(2)(b) in Brooklyn. Event number § 87(2)(b) generated on February 23, 2014 indicates that a complaint was made at § 87(2)(b) in Brooklyn, on the second floor. Event number § 87(2)(b) generated on February 23, 2014 indicates a suspicious vehicle at Malta Road and Linden Boulevard in Brooklyn. No event numbers were generated in the regards to the alleged incident involving menacing with a firearm (Encl. G1 – G20).
- The 67th Precinct roll call on February 23, 2014 for Tour 3 indicates that PO Pimentel and PO Villacis were assigned to Patrol Sector I. (Encl. H2 – H28)
- Electronic Stop, Question and Frisk reports § 87(2)(b) and § 87(2)(b) were prepared by PO Travis Alexander of the 67th Precinct on February 23, 2014 at 2:59 p.m., for two individuals suspected of burglary at § 87(2)(b). According to report number § 87(2)(b), the individual, described as a black man, approximately § 87(2)(b) stated, “I work for § 87(2)(b) here.” According to report number § 87(2)(b) the individual, identified by the individual as § 87(2)(b) described as a black man, § 87(2)(b) stated, “I’m the super of the building.” (Encl. F1 – F5).
- A search of the NYPD Booking, Arraignment, and Disposition System database lists an arrest report that was prepared by PO Thaher Ahmed of Patrol Borough Brooklyn North for § 87(2)(b) who was arrested on February 23, 2014 at approximately 11:34 p.m. for placing a victim in fear of death by displaying a firearm. The arrest report also indicates that the perpetrator followed the victim along the street and displayed a firearm that was in his waistband. However, no weapon was recovered (Encl. C8 – C10).
- A property voucher prepared for § 87(2)(b) at the 67th Precinct, indicates that at the time of his arrest, he was not in possession of a firearm (Encl. F6 – F9).

Other Documents

- A temporary order of protection was issued on § 87(2)(b) by § 87(2)(b) § 87(2)(b), ordering § 87(2)(b) to refrain from contact with § 87(2)(b) (Encl. B25).

Civilian and Officer CCRB Histories

- § 87(2)(b) has filed one previous complaint with the CCRB. § 87(2)(b)
- § 87(2)(b) has one previous CCRB complaint. § 87(2)(b)
- § 87(2)(b) has not filed any previous CCRB complaints (Encl. B3).
- Sgt. Volkan has been a member of the service for eight years. He has had one other allegation. In CCRB case number 200903936, an allegation of a refusal to provide name and shield was substantiated. He received command discipline (encl. A1).
- PO Pimentel has been a member of the service for 11 years. He has had six previous allegations involving four cases, none of which were substantiated. § 87(2)(g)

- PO Villacis has been a member of the service for four years. He has had two previous allegations involving two cases, none of which were substantiated. § 87(2)(g)

Additional Witnesses

- Two please call letters were mailed by Inv. Gallagher on May 9, 2014 and June 13, 2014 to § 87(2)(b) at the address indicated on his arrest report dated, February 21, 2014. The letters were never returned to the CCRB by the United States Postal Service. No phone number is listed for § 87(2)(b) and a subsequent LexisNexis database search conducted on August 11, 2014 did not list any results. A New York City Department of Correction database search conducted on March 25, 2015 did not list any current or formerly incarcerated individuals with that name (See attached IAs).
- § 87(2)(b) provided a detailed telephone statement on March 26, 2015 (Encl. B30). On a day and at a time he could not recall, § 87(2)(b) was outside of § 87(2)(b) when § 87(2)(b) pulled over to a stop in either a grey or black hummer. § 87(2)(b) initially stated that § 87(2)(b) was present with him, but later retracted his statement, to say that she was not. He exited the vehicle and said to § 87(2)(b) "What are you doing here? You're not supposed to be here," before reaching at his waistband and pulling out a gun. § 87(2)(b) then ran to his mother's home in the vicinity of § 87(2)(b) and called 911, and asked officers to meet him at the corner of § 87(2)(b). Two uniformed white men arrived in a marked patrol car and picked him up at that corner. § 87(2)(b) described the driver of the vehicle as 5'10" tall, approximately 160 to 170 pounds, and who appeared to be in his late 20s and early 30s. He described the passenger to be a "Sergeant" because of the "yellow stripes." They then drove and stopped a vehicle in the vicinity of Linden Boulevard which was occupied by § 87(2)(b) and another man who § 87(2)(b) did not recognize. While § 87(2)(b) waited in the patrol car, several other patrol cars, both marked and unmarked, arrived at the scene. He did not observe any officer draw his or her gun upon approaching the vehicle, and did not observe any officer to frisk § 87(2)(b). § 87(2)(b) could not recall if an officer searched the man he was unable to recognize, but recalled that officers moved him into a storefront. The driver of the marked vehicle he was seated in, searched the vehicle's trunk, where there were only tools. § 87(2)(b) was arrested and brought to a stationhouse, identified by the investigation as the 67th Precinct stationhouse. § 87(2)(b) was also brought to a stationhouse, where he positively identified § 87(2)(b) as the individual who displayed a firearm.

Potential Issues

- Between April 10, 2014 and May 2, 2014, Inv. Gallagher mailed two please-call letters and initiated five phone calls to § 87(2)(b) using the results of a LexisNexis database search conducted on April 10, 2014. No letters were returned to the CCRB by the United States Postal Service. To date, § 87(2)(b) has not contacted the CCRB regarding this incident. A New York City Department of Correction database search conducted on March 16, 2015 indicates that § 87(2)(b) is not presently incarcerated (See attached IAs).
- No event numbers were generated on February 23, 2014 in the regards to the alleged incident involving menacing with a firearm.

Findings and Recommendations

Allegations Not Pleaded

- **Abuse of Authority – Premises Entered:** On February 8, 2014, § 87(2)(b) provided consent for officers to enter her residence at § 87(2)(b) in Brooklyn by inviting them in. § 87(2)(g).
- **Abuse of Authority – Question:** § 87(2)(b) alleged that on February 8, 2014 at § 87(2)(b) in Brooklyn, Sgt. Volkan asked, “Where’s your ID? Where’s your lease?” § 87(2)(g).
- **Abuse of Authority – Refusal to provide name:** § 87(2)(b) provided several variations of Sgt. Volkan’s name during her initial report (“PO Vulcan”); telephone statement (“PO Volkin”); and during her statement at the CCRB when she alleged that on February 8, 2014 at § 87(2)(b) Brooklyn, Sgt. Volkan identified himself verbally as “Walton” upon her request for his name. Given the circumstances at the time of the question, it is likely that she misheard Sgt. Volkan’s name at the time of his response. Furthermore, § 87(2)(b) also misidentified other individuals who were present at the time of the incident, by providing slight variations of their names during her statement at the CCRB. § 87(2)(g).
- **Abuse of Authority – Vehicle Search:** § 87(2)(b) stated that at the time of the vehicle stop on February 23, 2014 in the vicinity of Linden Boulevard and Malta Street in Brooklyn, Sgt. Volkan said, “I was told you have a gun in the car.” § 87(2)(b) said, “We don’t have a gun. Wanna search? Go ahead.” § 87(2)(g).

Identification of Subject Officer(s)

- Although § 87(2)(b) provided several variations of the name of the officer with whom she interacted with on February 8, 2014 and February 23, 2014, the investigation identified him as Sgt. John Volkan of the 67th Precinct. Sgt. Volkan admitted to interacting with § 87(2)(b) during both incident dates. § 87(2)(g).
- During his statement at the CCRB, Sgt. Volkan stated that he responded to a radio run of a vehicle stop that was conducted by Patrol Sector I of the 67th Precinct. The 67th Precinct roll call for Tour 3 on February 23, 2014 lists PO Christian Villacis and PO Angel Pimentel as the officers who were assigned to Patrol Sector I. PO Villacis and PO Pimentel, admitted to conducting the vehicle stop based on a radio run they received from an officer assigned to Operation Impact within the confines of the 67th Precinct. § 87(2)(g).
- § 87(2)(b) stated that she and § 87(2)(b) were frisked and searched by unidentified officers. § 87(2)(g).

Officers not interviewed

§ 87(2)(b) stated that after his encounter with § 87(2)(b) on February 23, 2014, he called 911, and then asked officers to meet him at the corner of § 87(2)(b). According to the Operation Impact foot post map for Tour 2 on February 23, 2015, PO Ahmed was assigned to § 87(2)(b) § 87(2)(b) § 87(2)(b) § 87(2)(b) s arrest report also indicates that he was arrested by PO Ahmed on February 23, 2014. PO Ahmed was not interviewed, § 87(2)(g)

§ 87(2)(b)

§ 87(2)(b)

Recommendations

Allegation A – Abuse of Authority: On February 8, 2014, at § 87(2)(b) in Brooklyn, Sgt. John Volkan threatened to arrest § 87(2)(b)

Allegation B – Abuse of Authority: On February 23, 2014, in front of § 87(2)(b) and in the vicinity of Linden Boulevard and Malta Street in Brooklyn, Sgt. John Volkan threatened to arrest § 87(2)(b)

§ 87(2)(b) alleged that on February 8, 2014, Sgt. Volkan said, “If you don’t leave the apartment, I’m going to arrest you.” § 87(2)(g)

§ 87(2)(b)

According to § 87(2)(b) while three officers discussed the matter with two individuals that he identified as § 87(2)(b) and § 87(2)(b) (identified by the investigation as § 87(2)(b) and § 87(2)(b) and § 87(2)(b) spoke to two officers on the sidewalk in front of the building, who stated that if § 87(2)(b) did not leave the location, she would be arrested.

§ 87(2)(b) stated that officers referred them to “rent court” and that no officer threatened to arrest § 87(2)(b) § 87(2)(b) did not allege that officers threatened to arrest § 87(2)(b)

Sgt. Volkan and his operator, PO Gene Ruda, stopped at § 87(2)(b) because he observed approximately seven to eight people, including officers that were assigned to Operation Impact foot posts, at the location. Officers informed Sgt. Volkan about a landlord and tenant dispute at the location, and that earlier that day, they had arrested an individual, identified by the investigation as § 87(2)(b) for illegally evicting a tenant, for which Sgt. Volkan was not present. § 87(2)(b) who identified herself to Sgt. Volkan as the landlord of the building, stated that she owned the building, but that there were people who were living there illegally. However, she was not able to provide proof that she owned the building, or that she lived there. Therefore, Sgt. Volkan recommended that the alleged owners and residents of the building settle the matter in Housing Court. Sgt. Volkan did not tell § 87(2)(b) that he would arrest her if she did not leave the location.

§ 87(2)(b) stated that on February 23, 2014, while she was seated in her vehicle in front of § 87(2)(b) with § 87(2)(b) and § 87(2)(b) she had conversation with Sgt. Volkan regarding a tenant dispute. She alleged that Sgt. Volkan said, “Say another word, and I’ll arrest you.” Every time § 87(2)(b) asked Sgt. Volkan a question, he would reply, “Do you want to get arrested?” § 87(2)(g) Sgt. Volkan made statements regarding arresting § 87(2)(b) several times.

Sgt. Volkan’s memo book entries indicate he was visiting several foot posts and therefore, he was not in the vicinity of § 87(2)(b) prior to his interaction with § 87(2)(b) and § 87(2)(b) after the vehicle stop at Malta Street and Linden Boulevard. He

also denied making any statements pertaining to arresting § 87(2)(b) at any point during his interaction with her.

§ 87(2)(g)

Allegation C - On February 23, 2014, in the vicinity of Linden Boulevard and Malta Street in Brooklyn, PO Angel Pimentel stopped the car in which § 87(2)(b) and § 87(2)(b) were occupants.

Allegation D - On February 23, 2014, in the vicinity of Linden Boulevard and Malta Street in Brooklyn, PO Christian Villacis stopped the car in which § 87(2)(b) and § 87(2)(b) were occupants.

Allegation E – On February 23, 2014, in the vicinity of Linden Boulevard and Malta Street in Brooklyn, an officer frisked § 87(2)(b)

On February 23, 2014, § 87(2)(b) and § 87(2)(b) stated that after leaving § 87(2)(b) in Brooklyn, where § 87(2)(b) had a physical altercation with individuals at the location, they were pulled over by officers while § 87(2)(b) was driving § 87(2)(b)'s vehicle in the vicinity of Linden Boulevard and Malta Street. § 87(2)(b) stated that when she exited her vehicle at the time of the stop, an officer who searched the trunk of the vehicle, also frisked her by patting down her “midsection, legs, and groin area.”

PO Pimentel and PO Villacis received a radio run at approximately 10:04 p.m., from an officer, assigned to an Operation Impact foot post within the confines of the 67th Precinct, identified by the investigation as PO Ahmed. According to them, the radio run conveyed that a woman had been menaced by a firearm, by the driver of a grey hummer, in the vicinity of § 87(2)(b). After receiving the radio run, PO Pimentel and PO Villacis drove to the location of the foot post and spoke to the assigned officer, who confirmed the information he put over the radio and provided additional details, including the license plate number of the vehicle and its eastbound direction of flight. PO Pimentel could not recall the license plate number at the time of his interview. PO Pimentel and PO Villacis who had canvassed the location for an amount of time they could not recall, stopped § 87(2)(b)'s vehicle, which § 87(2)(b) described as a blue hummer, in the vicinity of Linden Boulevard and Malta Street because of the description of the vehicle and the direction of flight that they were informed of. PO Pimentel admitted that to frisking § 87(2)(b)'s waistband after asking him to exit the vehicle. He denied searching § 87(2)(b) frisking and searching any other occupant of the vehicle; or observing another officer do so. PO Villacis, who was at the front passenger's side of the vehicle, stated that only the driver was frisked and searched, while they waited for other officers to arrive at the scene with the victim of the alleged menacing, identified by the investigation as § 87(2)(b) § 87(2)(g). Sgt. Volkan could not recall if any of the occupants of the vehicle were frisked and searched. No event number was generated in the regards to the alleged incident involving menacing with a firearm.

Under the “fellow officer rule”, officers are entitled to act on information received from other officers, or via police radio, on the presumption that the information is true. People v. Landy 59 N.Y.2d 369 (1983) (Encl. A-F). According to People v. Ulerio, 781 N.Y.2d 627 (2003), the police may stop an automobile and frisk its occupants when they have reasonable suspicion of criminal activity (Encl. G - I).

§ 87(2)(g)

§ 87(2)(g)

Allegation F – On February 23, 2014, in the vicinity of Linden Boulevard and Malta Street in Brooklyn, an officer searched § 87(2)(b)

Two please call letters were mailed by Inv. Gallagher on May 9, 2014 and June 13, 2014 to § 87(2)(b) at the address indicated on his arrest report dated, February 21, 2014. The letters were never returned to the CCRB by the United States Postal Service. No phone number is listed for § 87(2)(b) and a subsequent LexisNexis database search conducted on August 11, 2014 did not list any results. § 87(2)(g)

Allegation G - On February 23, 2014, in the vicinity of Linden Boulevard and Malta Street in Brooklyn, PO Angel Pimentel drew his gun.

§ 87(2)(b) stated that when he was asked to step out of the vehicle by an officer identified by the investigation as PO Pimentel, he noted that PO Pimentel's gun was drawn, but pointed downwards.

PO Pimentel and PO Villacis feared for their safety because of the information they received. Though they were unable to recall whether their guns were drawn or pointed, they stated that they most likely were, because the vehicle stop was deemed as a "felony car stop."

In Police Department v. Gliner, OATH Index No. 955/00 (Sept. 6, 2000), it was established that an officer is entitled to draw his weapon when he has "reasonable fear for his own or another person's safety" (Encl. J – Z3).

§ 87(2)(g)

Team: _____

Investigator: _____
Signature _____ Print _____ Date _____

Supervisor: _____
Title/Signature _____ Print _____ Date _____

Reviewer: _____
Title/Signature _____ Print _____ Date _____

Reviewer: _____
Title/Signature _____ Print _____ Date _____